

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Trinh *et al.***

Appl. No.: **09/306,986**

Filed: **May 7, 1999**

For: **A Method for Synthesizing a Nucleic
Acid Molecule Using a Ribonuclease**

Confirmation No.: 4261

Art Unit: 1652

Examiner: Hutson, R.G.

Atty. Docket: IVGN 202

**Request for Continued Examination (RCE) Under 37 C.F.R. § 1.114
and Reply Under 37 C.F.R. § 1.111**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The above-captioned application is presently on appeal to the Board of Patent Appeals and Interferences ("Board"). As of today's date, January 14, 2008, Applicants have requested that the Board withdraw the appeal (see attached correspondence).

Concurrently, Applicants hereby request that prosecution of the instant application be reopened pursuant to 37 C.F.R. § 1.114(d), and submit herewith a Request for Continued Examination (RCE)- Form PTO/SB/30EFS under 37 C.F.R. §1.114. This RCE is further accompanied by a response to the last outstanding Office Action and the corresponding fee set forth under 37 C.F.R. 1.17(e). It is believed that this RCE is proper under 37 C.F.R. § 1.114, as it is filed after appeal to the Board, but prior to a decision on the appeal.

Amendments and Remarks accompanying this RCE are responsive to the last outstanding Office Action (mailed July 25, 2006) within the meaning of 37 C.F.R. § 1.111. In accordance with 37 C.F.R. § 1.121, these Amendments and Remarks are provided in the following format:

- (A) Each section begins on a separate sheet;
- (B) Starting on a separate sheet, a complete listing of all of the claims:
 - in ascending order;
 - with status identifiers; and
 - with markings in the currently amended claims;
- (C) Starting on a separate sheet, the Remarks.

As previously stated, the necessary fee under 37 C.F.R. § 1.17(e) of \$810.00 is provided herewith. Applicants believe that no additional fees are required in connection with this filing. However, if additional fees are due for net addition of claims, or if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required are hereby authorized to be charged to Deposit Account No. 50-3994.